

## U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

B/O Form PTO-1390 <b>Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371</b>		Attorney's Docket Number STEL3001/FJD
		U.S. Application Number (if known) <b>10/583,385</b>
International Application Number <b>PCT/EP2004/053463</b>	International Filing Date <b>14/Dec/04</b>	Priority Date Claimed <b>19 Dec. 2003</b>
Title of Invention <b>Filling level measurement device and filling level measurement and monitoring method</b>		
Applicant(s) for DO/EO/US <b>Holger Steltner et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under <i>35 USC 371</i>.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under <i>35 USC 371</i>.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (<i>35 USC 371(f)</i>) at any time rather than delay examination until the expiration of the applicable time limit set in <i>35 USC 371(b)</i> and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed <i>35 USC 371(c)(2)</i>.             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (<i>35 USC 371(c)(2)</i>).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (<i>35 USC 371(c)(3)</i>)             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (<i>35 USC 371(c)(3)</i>).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (<i>35 USC 371(c)(4)</i>). ( <input checked="" type="checkbox"/> Executed      <input type="checkbox"/> Unexecuted)</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (<i>35 USC 371(c)(5)</i>).</li> </ol>		
<p><i>Items 11 to 16 below concern other document(s) or information included:</i></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under <i>37 CFR 1.97</i> and <i>1.98</i>.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with <i>37 CFR 3.28</i> and <i>3.31</i> is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under <i>37 CFR 1.76</i>.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> Priority is claimed for German application no. 103 607 11.0 with a filing date of 19 Dec. 2003.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under <i>35 U.S.C. 154(d)(4)</i>.</li> <li>19. <input type="checkbox"/> A second copy of the English translation of the international application under <i>35 U.S.C. 154(d)(4)</i></li> <li>20. <input checked="" type="checkbox"/> Other items or information:      a copy of the Notification of Missing Requirements</li> </ol>		

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				Calculations	PTO USE
21. The following fees are submitted: <input type="checkbox"/> a) Basic national fee..... \$300.00 <input type="checkbox"/> b) Examination fee ..... \$200.00  <input type="checkbox"/> c) Search Fee: <input type="checkbox"/> If the written opinion of the ISA/US or the International preliminary examination report prepared b IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0.00 <input type="checkbox"/> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100.00 <input type="checkbox"/> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400.00 <input type="checkbox"/> All other situations..... \$500.00  <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fractions thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fractions thereof (round up to a whole number)		RATE	
- 100 =	/50=			x \$250.00	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER	NUMBER EXTRA	RATE		
Total Claims	12	-20 =	x \$50.00		
Independent Claims	3	-3 =	x \$200.00		
Multiple Dependent Claims (if applicable)			+ \$360.00		
<b>TOTAL OF ABOVE CALCULATIONS</b>					
<input type="checkbox"/> Reduction by $\frac{1}{2}$ for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application.					
<b>SUBTOTAL</b>					
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
<b>TOTAL NATIONAL FEE</b>					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.					
<b>TOTAL FEES ENCLOSED</b>					
				Amount to be:	Refunded: Charged:

- a.  A check in the amount of \$ 40 to cover the fees is enclosed.
- b.  Please charge my **Deposit Account Number 02-0200** in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**23364**

Customer Number

Phone: (703) 683-0500

*Respectfully submitted,*

  
 Felix J. D'Ambrosio  
 Attorney for Applicant  
 Registration Number: 25,721

DATE: November 29, 2007